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10849 U.S. PTO

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PTO/SB/05 (4/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. **MBX 012 CON**
First Inventor or Application Identifier **David P. Martin**
Title **METHODS FOR ISOLATING POLYHYDROXYALKANOATES FROM PLANTS**
Express Mail Label No. **EL 381 208 545 US**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages **29**]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **3**]
4. Oath or Declaration [Total Pages **3**]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations (2)
11. ☒ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☐ Small Entity Statement(s) ☒ Statement filed in prior application, Status still proper and desired (PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Other: Check for \$345.00

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: **08,548,840**

Prior application information: Examiner **Lilling, H.** Group / Art Unit: **1651**

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

(Insert Customer Number or Bar Code label here)

or ☐ Correspondence address below

Name	Patreia L. Pabst				
	Arnall Golden & Gregory, LLP				
Address	2800 One Atlantic Center				
	1201 West Peachtree Street				
City	Atlanta	State	GA	Zip Code	30309-3450
Country	United States	Telephone	(404) 873-8794	Fax	(404) 873-8795

Name (Print/Type)	Kevin W. King	Registration No. (Attorney/Agent)	42,737
Signature	<i>Kevin W. King</i>	Date	06/12/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

MBX 012 CON 20061/18

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2000</h2> <p style="font-size: small; margin: 0;">Patent fees are subject to annual revision. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.</p>		<p>Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">Continuation of 08/548,840</td> </tr> <tr> <td>Filing Date</td> <td>June 12, 2000</td> </tr> <tr> <td>First Named Inventor</td> <td>David P. Martin</td> </tr> <tr> <td>Examiner Name</td> <td></td> </tr> <tr> <td>Group / Art Unit</td> <td></td> </tr> <tr> <td>Attorney Docket No.</td> <td>MBX 012 CON</td> </tr> </table>		Application Number	Continuation of 08/548,840	Filing Date	June 12, 2000	First Named Inventor	David P. Martin	Examiner Name		Group / Art Unit		Attorney Docket No.	MBX 012 CON
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TOTAL AMOUNT OF PAYMENT (\$) 345.00															

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																												
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 01-2507</p> <p>Deposit Account Name: Arnall Golden & Gregory, LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105 130 205 65</td><td></td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127 50 227 25</td><td></td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139 130 139 130</td><td></td><td>Non-English specification</td><td></td></tr> <tr><td>147 2,520 147 2,520</td><td></td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112 920* 112 920*</td><td></td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113 1,840* 113 1,840*</td><td></td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115 110 215 55</td><td></td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116 380 216 190</td><td></td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117 870 217 435</td><td></td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118 1,360 218 680</td><td></td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128 1,850 228 925</td><td></td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119 300 219 150</td><td></td><td>Notice of Appeal</td><td></td></tr> <tr><td>120 300 220 150</td><td></td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121 260 221 130</td><td></td><td>Request for oral hearing</td><td></td></tr> <tr><td>138 1,510 138 1,510</td><td></td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140 110 240 55</td><td></td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141 1,210 241 605</td><td></td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142 1,210 242 605</td><td></td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143 430 243 215</td><td></td><td>Design issue fee</td><td></td></tr> <tr><td>144 580 244 290</td><td></td><td>Plant issue fee</td><td></td></tr> <tr><td>122 130 122 130</td><td></td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123 50 123 50</td><td></td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126 240 126 240</td><td></td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581 40 581 40</td><td></td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146 690 246 345</td><td></td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149 690 249 345</td><td></td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> </tbody> </table> <p>Other fee (specify) _____</p> <p>**Represents the difference between the fee for a <input type="checkbox"/> month extension of time and a <input type="checkbox"/> month extension of time.</p>	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105 130 205 65		Surcharge - late filing fee or oath		127 50 227 25		Surcharge - late provisional filing fee or cover sheet.		139 130 139 130		Non-English specification		147 2,520 147 2,520		For filing a request for reexamination		112 920* 112 920*		Requesting publication of SIR prior to Examiner action		113 1,840* 113 1,840*		Requesting publication of SIR after Examiner action		115 110 215 55		Extension for reply within first month		116 380 216 190		Extension for reply within second month		117 870 217 435		Extension for reply within third month		118 1,360 218 680		Extension for reply within fourth month		128 1,850 228 925		Extension for reply within fifth month		119 300 219 150		Notice of Appeal		120 300 220 150		Filing a brief in support of an appeal		121 260 221 130		Request for oral hearing		138 1,510 138 1,510		Petition to institute a public use proceeding		140 110 240 55		Petition to revive - unavoidable		141 1,210 241 605		Petition to revive - unintentional		142 1,210 242 605		Utility issue fee (or reissue)		143 430 243 215		Design issue fee		144 580 244 290		Plant issue fee		122 130 122 130		Petitions to the Commissioner		123 50 123 50		Petitions related to provisional applications		126 240 126 240		Submission of Information Disclosure Stmt		581 40 581 40		Recording each patent assignment per property (times number of properties)		146 690 246 345		Filing a submission after final rejection (37 CFR 1.129(a))		149 690 249 345		For each additional invention to be examined (37 CFR 1.129(b))	
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SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Kevin W. King			Reg. Number	42,737
Signature				Date	06/12/00
				Deposit Account User ID	01-2507

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David P. Martin, Oliver P. Peoples, and Simon F. Williams

Serial No.: Continuation of 08/548,840

Express Mail Label

No.: EL 381 208 545 US

Filed: June 12, 2000

Date of Deposit: June 12, 2000

For: *METHODS FOR ISOLATING POLYHYDROXYALKANOATES
FROM PLANTS*

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, D.C. 20231

**REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

Sir:

This is a request for filing a continuation application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/548,840, filed October 26, 1995, by David P. Martin, Oliver P. Peoples, and Simon F. Williams, for "*Methods for Isolating Polyhydroxyalkanoates from Plants*". The application includes 1 page of Abstract, 22 pages of specification, 6 pages of claims, 3 sheets of formal drawings, and an executed Declaration of Inventorship from prior application U.S.S.N. 08/548,840.

A Preliminary Amendment, Information Disclosure Statement, 5 pages of Form PTO-1449, and copies of two newly cited references are enclosed.

Also enclosed are copies from prior application U.S.S.N. 08/548,840 of (1) Assignment from David Martin, Oliver Peoples, and Simon Williams to Metabolix, Inc., recorded October 26, 1995, at Reel 7788, Frame 0897; (2) executed Verified Statement (Declaration)

Continuation of U.S.S.N. 08/548,840
"METHODS FOR ISOLATING POLYHYDROXYALKANOATES FROM PLANTS"
Filed: June 12, 2000
Express Mail Label No. EL 381 208 545 US
Date of Deposit: June 12, 2000
REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)

Claiming Small Entity Status (37 C.F.R. §§ 1.9(f) and 1.27(c) --- Small Business Concern) by
Metabolix, Inc.; and (3) executed Statement Under 37 C.F.R. § 3.73(b) by assignee
Metabolix, Inc.

The inventorship for the claims in the continuation application is the same as in the prior
application.

An Associate Power of Attorney under 37 C.F.R. § 1.34 is enclosed.

Submitted with the new application is a check in the amount of \$345.00 to cover the
filing fee for a small entity. It is believed that this is the proper filing fee since the application
includes 1 independent claim and a total of 8 claims, following entry of the enclosed Preliminary
Amendment. This application is entitled to small entity status since a Verified Statement
Claiming Small Entity Status was filed in prior Application Serial No. 08/548,840, a copy of
which is submitted with this application, and small entity status is still proper (37 C.F.R. §
1.27(a)(1)).

This application is being filed on June 12, 2000 by mailing the application to Box Patent
Application, Assistant Commissioner for Patents, Washington, D.C. 20231 via the United States
Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10.
The Express Mail label number appears in the heading of this paper, which is attached to the
application papers pursuant to 37 C.F.R. § 1.10(b).

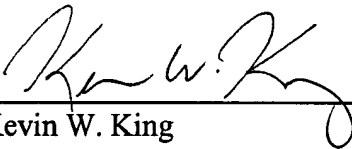
The Commissioner is hereby authorized to charge any fees that may be required, or credit
any overpayment to Deposit Order Account No. 01-2507. To facilitate this process, applicants
have enclosed a duplicate of this letter.

Continuation of U.S.S.N. 08/548,840
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REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)

All correspondence concerning this application should be mailed to:

Patrea L. Pabst, Esq.
ARNALL GOLDEN & GREGORY, LLP
2800 One Atlantic Center
1201 West Peachtree Street
Atlanta, Georgia 30309-3450

Respectfully submitted,



Kevin W. King
Reg. No. 42,737

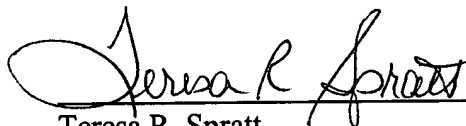
Date: June 12, 2000

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Atlanta, Georgia 30309-3450
(404) 873-8596 (Telephone)
(404) 873-8597 (Fax)

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REQUEST FOR FILING A CONTINUATION APPLICATION
UNDER 37 C.F.R. § 1.53(b)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this Request for Filing a Continuation Application Under 37 C.F.R. § 1.53(b), and any documents referred to as attached therein are being deposited with the United States Postal Service on this date, June 12, 2000, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, mailing label number EL 381 208 545 US, addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.


Teresa R. Spratt

Date: June 12, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David P. Martin, Oliver P. Peoples, and Simon F. Williams

Serial No.: Continuation of 08/548,840

Group Art Unit:

Filed: June 12, 2000

Examiner:

For: METHODS FOR ISOLATING POLYHYDROXYALKANOATES FROM PLANTS

Assistant Commissioner for Patents
Washington, D.C. 20231

ASSOCIATE POWER OF ATTORNEY UNDER 37 C.F.R. § 1.34

Sir:

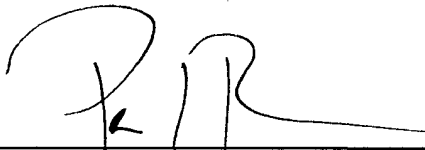
Please recognize as Associate Patent Attorneys and Patent Agent in this case:

Robert A. Hodges	Reg. No. 41,074
Kevin W. King	Reg. No. 42,737

Please continue to direct all communication to Patrea L. Pabst at the following address:

Patrea L. Pabst
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(404) 873-8794; 873-8795 (fax)

Date: June 12, 2000



Patrea L. Pabst
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